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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

Drewlynn Summers-Pernell, an individual,

Plaintiff,

vs.

P.F. Chang's China Bistro, Inc.; and Does I through  
X, inclusive; and Roe Corporations I through V,  
inclusive;

Defendants.

Case No.: 2:23-cv-872

**Stipulation and ~~Proposed~~ Order to  
Extend Discovery (First Request)**

Pursuant to Federal Rule of Civil Procedure 29(b) and Local Rules IA 6-1, 7-1 and 26-3, the parties hereby submit the following Stipulation and Order to Extend Discovery Deadlines (First Request) to extend discovery deadlines and all related case management deadlines.

**I. Summary of Discovery Completed**

- a. The parties have mutually served Rule 26(a)(1) disclosures and have updated those disclosures as additional information has become available;
- b. Written Discovery (Request for Production of Documents and Interrogatories) to Plaintiff;
- c. Written Discovery (Request for Production of Documents and Interrogatories) to Defendant;
- d. Defendant's Initial Expert Witness Designations;
- e. Plaintiff's Initial Expert Witness Designations; and

1 f. Deposition of Plaintiff.

2 **II. Discovery Remaining**

3 a. Deposition of 30(b)(6) Witness;

4 b. Deposition of fact witness, Thomas Ault (Tentatively set for February 11, 2024);

5 c. Deposition of fact witness, Raymond Leonard, Jr. (Tentatively set for February 12, 2024);

6 d. Deposition of Experts.

7 **III. Why the Remaining Discovery Could not be Completed**

8 The parties respectfully request an additional 60-day extension to allow for the parties  
9 sufficient time to schedule the depositions of designated expert witnesses. The defense has  
10 designated four (4) retained experts in this matter. Plaintiff has designated one (1) retained expert  
11 witness, and three (3) non-retained expert witnesses. Furthermore, the defense anticipates taking the  
12 depositions of fact witnesses Thomas Ault, and Raymond Leonard, Jr. Currently, Raymond  
13 Leonard, Jr. is located in Atlanta, GA. In light of the number of depositions remaining, and serving  
14 an out-of-state fact witness, the parties anticipate that an extension of sixty (60) days will be  
15 sufficient.

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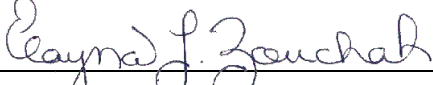
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IV. ~~Proposed~~ Schedule for Completing All Remaining Discovery

	Current Deadline	<del>Proposed</del> Deadline
Amending Pleadings and Adding Parties	Closed	Closed
Initial Expert Disclosures	Closed	Closed
Rebuttal Expert Disclosures	Closed	Closed
Discovery Closes	January 29, 2024	March 29, 2024
Dispositive Motions	February 29, 2024	April 29, 2024
Pre-Trial Order, if no Dispositive Motions	March 29, 2024	May 29, 2024

 <u>/s/ Michael P. Lowry, Esq.</u> Michael P. Lowry, Esq. Nevada Bar No. 10666 Brandon C. Verde, Esq. Nevada Bar No. 14638 Attorneys for PF Chang's China Bistro, Inc.	Atkinson Watkins & Hoffman, LLP  <u>/s/ Tyler Crawford, Esq.</u> Tyler Crawford, Esq. Nevada Bar No. 10559 Attorneys for Drewlynn Summers-Pernell

It is so ordered.

  
UNITED STATES MAGISTRATE JUDGE

Dated: January 4, 2024